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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/454,526	12/06/1999	MATTHEW G. GORBET	07447.0044-0	3842

7590 02/23/2004

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EXAMINER

FRANKLIN, JAMARA ALZAIDA

ART UNIT PAPER NUMBER

2876

DATE MAILED: 02/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/454,526

Applicant(s)

GORBET ET AL.

Examiner

Jamara A. Franklin

Art Unit

2876

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 19 December 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: The newly cited limitation would require further search on the part of the examiner.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: 7-10.

Claim(s) rejected: 1-6 and 11-13.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s).
10. ☒ Other: See Continuation Sheet


MICHAEL G. LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800

Continuation of 5. does NOT place the application in condition for allowance because: the examiner submits that the Blanford reference reads upon the claimed invention.

Continuation of 10. Other: Claims 1-6 and 11-13 remain rejected as set forth in the final rejection of paper no. 30.

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Amendments to the Claims:

This listing of claims will replace all prior version, and listings, of claims in the application:

Listing of Claims:

Claim 1 (currently amended): An apparatus for displaying registered information using embedded data, comprising:

an image capture device for capturing a first image of a substrate having first visible data and embedded data embodied thereon;

a decoder for decoding the embedded data to develop registration information;

a device for retrieving second information from a storage location identified by the registration information; and

a display for displaying a second image including second visible data representing the second information; the second image being positioned relative to the first image based on the registration information such that an observer, by using the display, sees the first visible data of the first image and the second visible data of the second image spatially related to the first visible data of the first image.

Claim 2 (Previously presented): A method for displaying registered information using embedded data, comprising:

capturing a first image of a substrate having first visible data and embedded data embodied thereon;

decoding the embedded data to develop registration information;

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retrieving second information from a storage location identified by the registration information; and

displaying a second image including second visible data representing the second information; the second image being positioned relative to the first image based on the registration information such that an observer sees the second visible data of the second image spatially related to the first visible data of the first image.

Claim 3 (Previously presented): The apparatus of claim 1, wherein the registration information includes a location on the substrate.

Claim 4 (Previously presented): The apparatus of claim 1, wherein the registration information includes an orientation of the substrate.

Claim 5 (Previously presented): The method of claim 2, wherein the decoding step further comprises decoding the embedded data to identify a location on the substrate.

Claim 6 (Previously presented): The method of claim 2, wherein the decoding step further comprises decoding the embedded data to identify an orientation of the substrate.

Claim 7 (Previously presented): The apparatus of claim 1 wherein the display includes an optical device positioned relative to the substrate to enable an observer to view the first image on the substrate through the optical device; the display displaying the second image in the optical device in order to spatially relate the second visible data in the second image to the first visible data in the first image.

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Claim 8 (Previously presented): The apparatus of claim 7 wherein the optical device is a lens.

Claim 9 (Previously presented): The apparatus of claim 7 wherein the optical device is a semitransparent mirror.

Claim 10 (Previously presented): The apparatus of claim 1 wherein the first image having first visible data and the second image including second visible data are projected onto a projection surface such that an observer sees a composite image of the first and second visible data formed by the second image overlaid and registered with the first image.

Claim 11 (Previously presented): The method of claim 1 wherein the second image is the same size as the first image.

Claim 12 (Currently Amended): The method of claim 1 wherein the second image is larger than the first image.

Claim 13 (Currently Amended): A method for displaying registered information using embedded data, comprising:

capturing a first image of a substrate having first visible data and embedded data embodied thereon;

decoding the embedded data to develop registration information; and

displaying a second image including second visible data; the second image being positioned relative to the first image based on the registration information such that an observer, by using a display, sees the first visible data of the first image and the

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second visible data of the second image spatially related to the first visible data of the first image.